1 2 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 3 AT SEATTLE 4 ROBERT SCOTT INGRAM, 5 Petitioner, 6 C19-1981 TSZ v. 7 **ORDER** DONALD HOLBROOK, Superintendent of the Washington State Penitentiary, 8 Respondent. 9 Having reviewed the Report and Recommendation of the Honorable Mary Alice 10 Theiler, United States Magistrate Judge, to which no objection was filed, the Court 11 hereby ORDERS: 12 **(1)** The Report and Recommendation, docket no. 17, is ADOPTED; 13 (2) The amended habeas petition, docket no. 8, and this action are DISMISSED 14 without prejudice for failure to prosecute; 15 (3) A certificate of appealability is DENIED; and 16 The Clerk is DIRECTED to close this case and to send a copy of this Order **(4)** 17 to all counsel of record, to petitioner pro se, and to Magistrate Judge Theiler. 18 IT IS SO ORDERED. 19 Dated this 17th day of September, 2020. 20 21 romas S Jell 22 Thomas S. Zilly United States District Judge 23

ORDER - 1